

## Police brutality cannot go unpunished

Judicial inquiry into alleged torture gives justice some hope

THE High Court has asked the Jashore civil surgeon to submit a report on the physical condition of college student Imran Hossain, whose kidney was damaged due to alleged police torture in Jashore. It has also directed the Superintendent of Police in Jashore to submit an investigation report on the incident on June 28, following the hearing of a writ petition that had been filed seeking judicial inquiry, compensation and all medical expenses of the defendant.

According to news reports, Imran, a second-year college student, was brutally beaten by police after he ran from them in fear. The beating was so bad that Imran lost consciousness and was later diagnosed to have suffered kidney damage. Once Imran regained consciousness, the police allegedly proceeded to acquire a bribe of Tk 30,000 for his release, but eventually let him go in exchange for Tk 6,000, with a warning of further repercussion should he disclose being tortured.

The incident happened in the same week that a farmer from Gopalganj named Nikhil died after succumbing to the critical injuries he sustained, after allegedly being tortured by a cop who has since been arrested on charges of assault. But unlike in that case, so far in the Jashore incident, the police and a three-member committee led by the Additional Superintendent of Police have completely denied the charges against the accused, although two accused ASIs were withdrawn after the event.

Accusations of police torture have become a regular phenomenon. Article 12 of the United Nations Convention against Torture, which Bangladesh is a signatory to, requires the state to ensure "competent authorities proceed to a prompt and impartial investigation, where there is reasonable ground to believe that an act of torture has been committed in any territory under its jurisdiction." However, such requirement is barely ever followed, and in most cases, accusations are either dismissed off hand, or self-investigation by the agency under scrutiny absolves its own members. The lack of transparency and independent inquiry means there is a huge gap in accountability. Therefore, it is not difficult to see why members of law enforcing agencies are emboldened to resort to such heavy-handed tactics repeatedly.

We are encouraged by the HC's decision to enquire into the matter. In the absence of any meaningful measure by the executive to investigate these type of matters, the judiciary's role to reign in police brutality becomes ever more important. And we sincerely hope that it fulfills that duty. Meanwhile, we call on the other state organs to come to their senses and do their part to ensure an end to police brutality and to punish those errant cops who inflict such torture on people.

## A worrying shortage of Covid-19 testing kits

Make kits available to all the labs without further delay

WE are concerned to learn that some of the laboratories in the country had to suspend conducting Covid-19 tests while many are not being able to conduct the tests as per their capacity due to a shortage of testing kits. According to our report, the 300-bed government hospital in Narayanganj is one of the facilities where testing remained suspended since June 18, amid a severe kit crisis. An assistant professor of a hospital in Gazipur told *The Daily Star* that while they were supposed to test 188 samples a day, the number came down to 70 to 80 due to the kit crisis. Kit shortage has also been reported in Gazipur, Noakhali, Feni, Laxmipur, Jamalpur and even in some private hospitals in Dhaka.

It is common knowledge that Bangladesh's testing capacity is still extremely insufficient for its population. The country remains at the bottom among the South Asian countries in terms of the number of tests being conducted. According to health experts, the government has managed to test only about one out of every 250 people, which is inadequate to get a conclusive picture of the real Covid-19 situation on the ground. While we should conduct at least 20,000 tests per day and gradually try to take the number to 50,000, unfortunately, the number of daily tests still hovers around 15,000-17,000. And now we are even unable to conduct the minimum number of tests due to the kit crisis.

The director general of DGHS, however, has said that there is no kit crisis in the country and that they have one lakh and two thousand kits in store and more kits will come soon. If that is really the case, why don't they provide enough kits to the labs so they can test as per their capacity? Also, the government must keep at least two lakh kits in reserve as the supply chain could be disrupted any time, as public health professionals have opined. Besides, the government should look for other markets from where it can import kits. The allegations made by a ruling party lawmaker about a syndicate obstructing the companies, who have brought around 10 lakh testing kits, from supplying kits to the health ministry should be investigated immediately.

Since the shortage of testing kits could be a major setback for containing the spread of the virus, the government should take every step necessary to ensure smooth supply of them to all the hospitals and labs.



"In life, your parents come first, after the Great and most Benevolent Allah. They are the greatest blessing and safest shelter. Because of the mercy of Allah and the sacrifices of my parents, because of

their prayers, advice, courage, discipline, love, affection, encouragement—for standing next to me like mountains through all my troubles—I have been able to earn my Bachelor's degree from the Oxford of the East, Dhaka University."

This is a rough translation of a post from Sumaya Khatun's Facebook, dated December 7, 2019, along with pictures from the 52nd convocation of Dhaka University (DU). Sumaya spoke of how her father had been the driving force behind her education, and how much she wished he had seen her graduate (he passed away three months earlier). She wrote of how hard it was to lose her little sister, only 12 years old, in 2013, and still carry on—"my Suraiya", she called her. At the time of her Facebook post, she was studying for a Masters' degree in Islamic Studies at DU, which she later passed with distinction. Sumaya had wanted to go on to study for the BCS exams. She was a 26-year-old from Jessor who, in a way, embodied our ideal of the middle-class Bangladeshi woman—pious, educated, hardworking, devoted to her family. Not the sort of girl you would expect to have trouble for being too "ambitious", or for not "knowing her place".

On June 21, Sumaya's mother received a phone call from her father-in-law from Natore (she had married in 2019 and moved there), saying she was ill. When she reached Natore Sadar Hospital the next day, she found her daughter's lifeless

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body in a morgue. The resident medical officer said they found bruises and signs of strangulation. Sumaya's mother then filed a murder case against Sumaya's husband, father-in-law, mother-in-law and sister-in-law, telling reporters that their motive for killing her was her professional aspirations. Even six months ago, Sumaya had been locked up, beaten, threatened with murder and told to give up her studies and concentrate on running the household instead. Despite

the comments are downright aggressive: "Who does she think she is? Running after money and forgetting her husband... she deserved to die," and on and on. This story (and the following reaction) has been repeated so often that it would seem tiring if it didn't involve the extinguishing of an innocent life every time—no matter how pious, traditional or ordinary you are, as soon as you reach too high or speak too loud, as soon as you "dare", you have violated some unspoken



**'We cannot tell our girls to reach for the stars, only to cut off their fingers when they try.' — Sumaya Khatun, a student of Dhaka University, was allegedly killed by her in-laws for her professional aspirations.**

PHOTO: FROM SUMAYA KATUN'S FACEBOOK ACCOUNT

all odds, she had persevered. And she paid for that perseverance with her life.

After the story of Sumaya's death broke, a family member who is a faculty at DU mentioned how it reminded her of one of her students—Mafruda Huq Sutopa, who confided in her friends how she had to study in the bathroom to hide from her husband. On September 19, 2009, Sutopa was found dead at her husband's residence; her family alleged that she had been tortured and killed. More than ten years later, the case has reportedly still not been resolved. Sumaya and Sutopa are just two of maybe hundreds of thousands of Bangladeshi women who have had their dreams turned to dust by patriarchy, and as expected in a patriarchal society as relentless as ours, social media commentators have already gone out of their way to make it the woman's fault.

"In a Muslim country, women should obey their husbands," said one. Another quipped, "why did she get married if she wanted to defy her husband?" Some of

"moral" code that continues to permeate our society and stifle the voices of our women. Nusrat Jahan Rafi's case comes to mind—another Bangladeshi girl who paid with her life for refusing to stay silent and do as she was told.

How does a nation deal with gender-based violence that is so relentless, with patriarchy that is so deep-rooted? The first and most urgent step is justice and legal redress as a deterrence. Bangladesh has come a long way in creating laws that aim to protect the rights of women. The Domestic Violence (Prevention and Protection) Act, 2010 is considered by most legal experts to be watertight and comprehensive, but as with most of our laws, implementation is the biggest challenge. This applies to the Women and Children Repression Act as well, which has abysmally low conviction rates. How can laws be applied if trials take years, if victims cannot afford proper legal counsel, if cases don't even make it to court because law enforcers are not

willing to diligently pursue them? As human rights lawyer Salma Ali pointed out in a column in *The Daily Star*, "We need to create a circle of protection around the woman (or girl), starting from counselling, legal aid, speedy trial, and alternative livelihoods in the future—something that unfortunately does not yet exist in full form for the women of Bangladesh." Without justice for the victims of gender-based violence, these crimes will continue with impunity.

However, there is another crucial (and possibly, even more difficult) step that must be taken—changing social mindsets so that a woman can get out of a violent situation before the worst happens. A common question that is now being asked about Sumaya is—"why didn't she go back to her family after the first incident?" But realistically, how easy is it in our society for a fatherless young girl to leave her husband? Can any ordinary family deal with the trial by society that women in this country are subject to?

The social pandemic of gender-based violence needs to be handled as carefully as the current Covid-19 pandemic, but for this, political will and the involvement of multiple social actors are required. The Ministry of Women and Children Affairs needs to play a more involved role in protecting the rights of Bangladeshi women. So far, it has not even managed to create a national database on violence against women, let alone create coordinated programmes to fight it. Educational institutions across the country also have a duty to ensure that anti-women notions are debated within classrooms, and make conscious efforts to encourage and instill progressive thought. After the Holey Artisan terrorist attack, we saw the state-run Islamic Foundation step up its anti-militancy messaging. Given that so many people in Bangladesh use a misinterpretation of religion as an excuse for gender-based violence, can Islamic Foundation not be involved in combatting these patriarchal notions? Can NGOs not move away from solely focusing on economic emancipation or keeping a "gender angle" in project documents to woo donors, and deal with gender issues from a human rights point of view?

The status of women in Bangladesh has changed a lot over the last few decades, especially due to the women's movement and integration into the economy. Our young girls know now that a life of unpaid/undervalued labour and dependence is not their only option, they too have value (even if it is only economic value). But we cannot tell them to reach for the stars, only to cut off their fingers when they try. We must demand justice for Sumaya, not just for her sake or her family's, but for every young girl who dreams big, yet fears the consequences of her ambitions.

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## What still needs to happen to win the fight against human trafficking

EARL R. MILLER and JOHN COTTON RICHMOND

In late 2019, we learned of the harrowing plight of Suma Akter, a Bangladeshi woman in Saudi Arabia who secretly recorded and shared on social media her story of abuse and exploitation abroad. In Saudi Arabia, Akter said, her employer beat her and at one point poured hot oil on her hand. Later on, when she fell ill, Akter said her employer sold her to another person for 22,000 riyals (almost Tk 5 lakh).

This is just one form of human trafficking. Human trafficking is a crime; it involves exploiting someone—using them, capitalising on their vulnerabilities—for the purposes of compelled labour or commercial sex by using force, fraud or coercion. It is an appalling crime that takes advantage of often desperate people, hijacking their dreams, and robbing them of their freedom, for profit.

On June 25, the United States Secretary of State released the 2020 global Trafficking in Persons (TIP) report, upgrading Bangladesh's ranking from Tier 2 Watch List to Tier 2. This significant step reflects Bangladesh's progress in combating human trafficking over the past year, including standing up seven anti-trafficking tribunals and taking action against recruiting agencies exploiting Bangladeshi seeking to work abroad.

We congratulate the government and committed civil society actors who fought tirelessly to pursue accountability for traffickers and freedom for victims. They are Bangladesh's heroes in the fight against global human trafficking. The Tier 2 ranking means the Bangladesh government is making significant and increasing efforts to meet the minimum standards towards the elimination of trafficking. But there is more work to be done to fully meet these standards, and put an end to this despicable practice.

The United States is proud to work with Bangladesh in its efforts to combat

human trafficking. We echo the UN Network on Migration's June 11 op-ed in encouraging further actions to address TIP, and have four recommendations for Bangladesh to take further action in its fight to secure freedom for victims of human trafficking:

First, employ the seven anti-trafficking tribunals to manage the 5,000+ cases filed under the 2012 anti-trafficking law,

to human trafficking victim-centred by prioritising care for all victims, male and female, young and old. This means Bangladesh will need to allocate more government resources to enhance care for survivors—in conjunction with the robust efforts of the NGO and donor community—and to ensure all victims receive adequate protections and care plans tailored to the medical,



**Coast guards keep watch in the Thengar Char island in the Bay of Bengal, Bangladesh, on February 2, 2017.**

REUTERS FILE PHOTO

and swiftly bring traffickers to justice as detailed in the 2000 UN TIP Protocol. Until the legal stakes for criminals are visibly raised, trafficking remains a low-risk, high-profit endeavour. This must change.

Second, make the Bangladesh response

psychological, social, legal, and rehabilitation needs necessary to begin the healing process.

Third, strengthen measures to protect individuals seeking safe channels to work abroad. This includes continuing to enforce applicable laws for recruitment

agencies, cracking down on businesses that inflate official recruitment fees set in place by government-to-government negotiations, and working to end the payment of these fees by workers and placing the burden on employers to pay these costs. When individuals take out a loan to pay recruitment fees, they become acutely vulnerable to exploitation. This calculus, one that disadvantages employees from the start, needs to change entirely. Employers must do more to build accessible paths for safe migration. We were encouraged by the government's quick actions to investigate and arrest suspected traffickers following the horrendous killing of 26 Bangladeshis in Libya, and we hope these actions lead to institutional safeguards to ensure tragedies like these never happen again.

Fourth, investigate and prosecute traffickers who are compelling thousands of people to engage in commercial sex acts, including because they were born in a brothel. We call on the government to take immediate measures to carefully investigate reports of sex trafficking in licensed brothels, identify and protect the victims.

All of this is genuinely hard work, and in the midst of the global Covid-19 crisis, the fight has only become more urgent. Traffickers are capitalising on the chaos of the pandemic and we must hold them to account for their crimes. It is time for us all to prioritise the actions necessary to protect freedom. We are committed to our partnership with Bangladesh in the critically important task to abolish human trafficking.

Earl R. Miller is the United States Ambassador to Bangladesh. He is perhaps the only US ambassador in history to have investigated and arrested sex traffickers as a former sworn law enforcement officer. John Cotton Richmond is the United States Ambassador-at-Large to Monitor and Combat Trafficking in Persons. He has led anti-trafficking NGOs and served as a specialised human trafficking prosecutor before coming to the highest position in the United States federal government dedicated to the fight against trafficking.